

REMARKS

In the Office Action mailed June 15, 2010 (hereinafter, "Office Action"), the Examiner rejected claims 18, 24, and 26-32 under 35 U.S.C. § 112, second paragraph; and rejected claims 18 and 24-34¹ under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,896,618 to Benoy et al. (hereinafter, "Benoy") in view of Japanese Patent Application Publication No. JP 10-033821 to Yasushi Ishihara et al. (hereinafter, "Yasushi").

By this response, Applicants amend claims 18, 24, and 26-33. Claims 1-17, 19-23, and 25 were previously canceled. Support for the amendments can be found in the specification at, for example, page 15, line 14 through page 18, line 18, and Figures 2 and 4. No new matter has been added. Accordingly, claims 18 and 24-34 are currently pending.

In light of the foregoing amendments and based on the reasoning presented below, Applicants respectfully traverse the rejections of claims under 35 U.S.C. §§ 103(a) and 112, second paragraph, and request allowance of pending claims 18 and 24-34.

I. Rejections Under 35 U.S.C. §112

In the Office Action, the Examiner rejected claims 18, 24, and 26-32 under 35 U.S.C. 112, second paragraph. Specifically, the Examiner rejected claims 18, 24, and 26 as allegedly being indefinite because the claims "disclose[] [] registered identification

¹ Although the statement of the rejection only lists claims 18 and 24-33, the Examiner discusses the rejection of claim 34 at page 11 of the Office Action.

information and identification information,” and “the Examiner [cannot] tell if they refer to the same form of information or to separate identification information.” Office Action, p. 2. In addition, the Examiner rejected claims 28 and 32 as allegedly being indefinite because the claims “disclose[] one player and another player,” but the claim “later goes on to use ‘the one player’ and ‘the player.’ which creates confusion” Id. at p. 3. Finally, the Examiner rejected claims 18 and 26-32, alleging that the recitation of “the player’s game play” in claims 18, 26, and 32 and the recitation of “said designated terminal device” in claims 26-32 lack antecedent basis. Id.

While Applicants respectfully disagree with the Examiner’s characterizations of the claim recitations, to advance prosecution, Applicants have nevertheless amended claims 18, 24, and 26-32, as shown in the listing of claims attached hereto.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 18, 24, and 26-32 under 35 U.S.C. § 112, second paragraph.

II. Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 18 and 24-34 under 35 U.S.C. § 103(a) as being unpatentable over Benoy and Yasushi. A *prima facie* case of obviousness has not been established because, among other things, the cited art fails to teach or suggest each and every element of Applicants’ claims.

Specifically, neither Benoy, nor Yasushi, whether taken alone or in any reasonable combination teach or suggest the recitations of the amended independent claims, including, *inter alia*,

(b) after the registering, allowing the player to store on the server device an optional message in advance in association with the registered identification information and in

association with an event associated with a game result of the game to be played, wherein the event is designated by the player who expects the event to occur during a progress of the game to be played before allowing the player to start the game on the arcade game machine, said optional message being arranged to be sent from the server device to a terminal device . . . [and]

wherein there are a plurality of optional messages and plural first ones of the optional messages are stored by the player on the server device before starting the game in association with certain values of points to be acquired by the player, and the server device sends one of the first ones of the optional messages to the terminal device for display in accordance with the result of the game played by the player,

as recited in amended independent claim 18, and similarly recited in amended independent claims 24, 26, 32, and 33.

In the Office Action, at page 4, the Examiner acknowledges that “Benoy fail[s] to disclose” the recitations of independent claim 18, including, *inter alia*,

(b) after the registering, allowing the player to store on the server device an optional message in advance in association with the registered identification information and in association with an event associated with a game result of the game to be played, wherein the event is designated by the player who expects the event to occur during a progress of the game to be played before allowing the player to start the game on the arcade game machine, said optional message being arranged to be sent from the server device to a terminal device . . . [and]

wherein there are a plurality of optional messages and plural first ones of the optional messages are stored on the server device before starting the game in association with certain values of points to be acquired by the player, and the server device sends one of the first ones of the optional messages to the terminal device for display in accordance with the result of the game played by the player.

The Examiner alleges, however, that “Yasushi teaches [] a networked gaming system that allows registered players to be authorized for game play through use of a

player card (para 4)” Office Action, p. 5. The Examiner further alleges that “players . . . are given the ability to store on the server messages (para 4) that can be later retrieved . . . and displayed on a display screen by other players accessing the same network of games (para 46) that are part of the same group (para 3).” Id. According to the Examiner, “a player’s accumulated points can be viewed as a first one of the optional messages while a player’s jackpot can be viewed as a second one of the optional messages displayed on a terminal device.” Id.

Even assuming that the Examiner’s statements regarding Yasushi are correct, which Applicants do not concede, the Examiner’s statements do not correspond to Applicants’ claim recitations, including, *inter alia*,

(b) after the registering, allowing the player to store on the server device an optional message in advance in association with the registered identification information and in association with an event associated with a game result of the game to be played, wherein the event is designated by the player who expects the event to occur during a progress of the game to be played before allowing the player to start the game on the arcade game machine, said optional message being arranged to be sent from the server device to a terminal device . . . [and]

wherein there are a plurality of optional messages and plural first ones of the optional messages are stored by the player on the server device before starting the game in association with certain values of points to be acquired by the player, and the server device sends one of the first ones of the optional messages to the terminal device for display in accordance with the result of the game played by the player,

as recited in amended independent claim 18, and similarly recited in amended independent claims 24, 26, 32, and 33.

In Yasushi, the messages cannot be registered by the player, nor are the messages associated with game points. Instead, Yasushi merely discloses that, upon detection of the jackpot, the game machine performs control so that the other game machines which belong to the same group can display an indication of occurrence of the jackpot on their screens. See e.g., Yasushi, ¶¶ [0081], [0086] and [0107].

Accordingly, Yasushi fails to overcome the deficiencies of Benoy, as set forth above, and the failure of Benoy to disclose or suggest at least the above-quoted claim recitations of amended independent claim 18. Amended independent claims 24, 26, 32, and 33, although of different scope, include recitations similar to those discussed above with respect to amended independent claim 18. Therefore, for at least the reasons discussed above, amended independent claims 18, 24, 26, 32, and 33 are nonobvious over Benoy and Yasushi, and should be allowed.

Claims 27, 28, and 34 depend from amended independent claim 18. Claims 29 and 30 depend from amended independent claim 24. Claim 31 depends from amended independent claim 26. For at least the same reasons as set forth above in connection with their corresponding amended independent claims, claims 27-31 and 34 are also nonobvious over Benoy and Yasushi, and should be allowed.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the cited art. Applicants therefore request reconsideration and reexamination of this application, and the timely allowance of the pending claims.

In addition, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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